IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.768 OF 1999
IN
SUMMARY SUIT NO.5035 OF 1998

Bank of India ..Plaintiffs

Vs.

Riyal Shaikh ..Defendants

Mr.Aditya Khanna i/b A.R.Bhole and Co. for the plaintiffs

Ms.S.A.Dhamale for the defendants

CORAM : S.U.KAMDAR, J
DATED : 12TH SEPTEMBER, 2005

P.C.:

. The present suit is filed on the credit card and the claim is for sum of Rs.97,857.86. The defendants were served. The defendants have filed Vakalatnama. Summons for Judgment is taken out and served on the defendants in 1999. There is no reply since last 7 years. Matter was on board on the last occasion i.e. on 30.8.05. Matter was adjourned to 5.9.05. On 5.9.05 matter was once again adjourned for one week.Inspite of two adjournments, there is no reply. In view thereof, there shall be decree in favour of the plaintiffs

and against the defendants for the sum of Rs.97,857.56 alongwith interest on the principal amount of Rs.54,145.86 with 12% simple rate of interest from the date of the suit till payment and or realisation. Suit decreed accordingly. No order as to costs. In view thereof Summons for Judgment does not survive,